



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

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January 18, 2013

**BY ECF**

Honorable Margo K. Brodie  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Helary Dupigny, v. The City of New York, et al.,  
12 CV 1367 (MKB)(RER)

Your Honor:

Enclosed herein for the Court's endorsement please find a fully executed Stipulation and Order of Dismissal.

The parties thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Nemetz".

Mark J. Nemetz  
Special Assistant Corporation Counsel

cc: **BY ECF**

Honorable Ramon E. Reyes  
United States Magistrate Judge  
Eastern District of New York

Gerald Cohen, Esq.  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
HELARY DUPIGNY,

Plaintiff,

**STIPULATION AND  
ORDER OF DISMISSAL**

-against-

12-CV-1367 (MKB) (RER)

THE CITY OF NEW YORK, et al.,

Defendants.  
-----X

**WHEREAS**, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, that the above-referenced action is hereby dismissed with prejudice.

Cohen & Fitch LLP  
*Attorneys for Plaintiff*  
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By: 

Gerald Cohen

MICHAEL A. CARDOZO  
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City of New York  
*Attorney for Defendants The City of New York, Gerard Sardina, Jeremy DeMarco and Michael Fahmy*  
100 Church Street  
New York, New York 10007

By: 

Mark J. Nemetz  
*Special Assistant Corporation Counsel*

SO ORDERED:

Dated: New York, New York  
\_\_\_\_\_, 2013

\_\_\_\_\_  
HON. MARGO K. BRODIE  
UNITED STATES DISTRICT JUDGE